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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,447	10/09/2001	Edward R. Rowe	07844-448001	7875
21876 7590 07/09/2007 FISH & RICHARDSON P.C. P.O. Box 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER KIM, JUNG W	
			ART UNIT 2132	PAPER NUMBER
			MAIL DATE 07/09/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/973,447	<b>Applicant(s)</b> ROWE, EDWARD R.	
	<b>Examiner</b> Jung Kim	<b>Art Unit</b> 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 32,33,36 and 39-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 32, 33, 36 and 39-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office action is in response to the amendment filed on 5/21/07.
2. Claims 32, 33, 36 and 39-53 are pending.

#### ***Response to Arguments***

3. Applicant's argument that Richards does not disclose all limitations of claims 32 and 36 because Richards does not "providing multiple skeleton decryption keys for multiple encrypted documents, where a single skeleton key can be used to open multiple encrypted documents," (Remarks, pg. 6) is not persuasive. Richards discloses using multiple keys for decrypting a plurality of encrypted programs, wherein a single key can be used to decrypt the plurality of encrypted programs contained in a package, (14:1-38) which anticipates the aforementioned limitation.

#### ***Claim Rejections - 35 USC § 102***

4. Claims 32, 33, 36, 39-41, 43-46 and 48-52 are rejected under 35 U.S.C. 102(b) as being anticipated by Richards USPN 6,069,957. (hereinafter Richards)
5. As per claims 32, 33 and 39-41, Richards discloses a computer-implemented method for managing access to electronic documents, comprising:
  - a. Providing in an access controlled manner multiple skeleton decryption keys for multiple encrypted documents, where a single skeleton key can be used

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to open multiple encrypted documents, a single encrypted document can be opened using more than one skeleton key, and a single skeleton key can be opened using one or more other skeleton keys; (11:4-26; 12:1-37; 14:21-28)

b. Each single skeleton key being a key usable to decrypt one or more secondary decryption keys; (11:15-22) and

c. Each secondary decryption key being a skeleton key or a decryption key for an encrypted document (11:15-22);

d. Whereby one or more skeleton keys can be issued for a document or a set of documents, and a holder of a particular skeleton key can open any document to which the particular skeleton key applies, directly or indirectly (14:20-28);

e. Wherein the skeleton keys are distributed to users in rights management files. (11:4-25; 14:21-22; 16:4-10)

f. Wherein the rights management files are specific to particular users (4:60-5:28; 5:50-52; 14:1-23);

g. Wherein the rights management files are specific to a particular user-operated system (11:1-13 and lines 30-33);

h. The method further comprising encrypting documents and skeleton keys in a symmetric manner. (3:29-31)

6. As per claims 36 and 43-46, they are claims corresponding to claims 32, 33 and 39-41, and they do not teach or define above the information claimed in claims 32, 33

and 39-41. Therefore, claims 36 and 43-46 are rejected as being anticipated by Richards for the same reasons set forth in the rejections of claims 32, 33 and 39-41.

7. As per claims 48-52, they are claims corresponding to claims 32, 33, 36, 39-41 and 43-46; moreover, Richards discloses means for providing in an access-controlled manner the multiple skeleton decryption keys. (Col. 4:60-5:29; 11:22-25; 16:4-10) Hence, claims 48-52 are rejected as being anticipated by Richards for the same reasons set forth in the rejections of claims 32, 33, 36, 39-41 and 43-46.

***Claim Rejections - 35 USC § 103***

8. Claims 42, 47 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richards in view of Stallings, Cryptography and Network Security, Chapter 6 "Public-Key Cryptography." (hereinafter Stallings).

9. As per claim 42, the rejection of claim 32 under 35 USC 102(b) as being anticipated by Richards is incorporated herein. (supra) Richards does not disclose the method further comprising encrypting documents and skeleton keys in an asymmetric manner. However, it is well known to one of ordinary skill in the art to utilize public key encryption to securely distribute secret keys and to encrypt documents because public key encryption provides the following benefits over symmetric encryption: authentication and a more robust security than symmetric encryption based on similar key lengths and cryptographic manipulations. For example, Stallings discloses using public keys to

encrypt documents for secure transmission. Pg. 166, Fig. 6.1. Stallings further discloses a secret key distribution method that ensures confidentiality and authentication wherein a session key is encrypted with a private key and decrypted using a public key. Pgs. 187-189, "Public-Key Distribution of Secret Keys;" in particular, see pgs. 188-189, "Secret Key with Confidentiality and Authentication." As applied to the invention of Richards, asymmetric encryption of a document and the document decryption key offers such benefits as authentication and robust encryption using a smaller key size. Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made for the method of Richard to further comprising encrypting documents and skeleton keys in an asymmetric manner. One would be motivated to so to make use of the advantages of asymmetric encryption over symmetric encryption including authentication and smaller key size as known to one of ordinary skill in the art. The aforementioned cover the limitations of claim 42.

10. As per claims 47 and 53, they are claims corresponding to claims 36, 42 and 48, and they do not teach or define above the information claimed in claims 36, 42 and 48. Therefore, claims 47 and 53 are rejected as being unpatentable over Richards in view of Stallings for the same reasons set forth in the rejections of claims 36, 42 and 48.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

#### ***Communications Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jung W. Kim whose telephone number is 571-272-3804. The examiner can normally be reached on M-F 9:00-5:00.

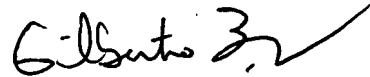
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jung Kim  
Examiner  
AU 2132  
June 29, 2007



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